
UNITED STATES DISTRICT COURT

for the

District of South Carolina

Carolina Casualty Insurance Company

Plaintiff

v.

Civil Action No. 3:16-03704-MBS

Walker & Morgan, LLC; S. Kirkpatrick)

Morgan, Jr.; William P. Walker, Jr.;)

Wanda Ferguson, as Personal)

Representative of the Estate of Jim)

Ferguson; Ronald Mills; Timothy Burch;)

John Coleman; Richard Nix, as Personal

Representative of the Estate of Dale

Guiterrez; Jacob Williams; Donald Tillman,

Defendants

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☒ other: the Underlying Cases may seek recovery of legal fees, costs and expenses paid, incurred or charged by Walker & Morgan, LLC, whether claimed as forfeiture, restitution or disgorgement of specific funds, financial loss, set-off or damages. The Policy issued by Plaintiff to Walker & Morgan, LLC and identified by Policy Number 1332052 does not provide coverage for recovery of legal fees, costs and expenses paid, incurred or charged by the Walker & Morgan, LLC, whether claimed as forfeiture, restitution, disgorgement of specific funds, financial loss, set-off or damages. Therefore, Plaintiff is entitled to a declaratory judgment that it does not have a duty to indemnify Walker & Morgan, LLC; Kirkpatrick Morgan, Jr.; and/or William P. Walker, Jr. for that portion of any damages awarded against them for “legal fees, costs and expenses paid, incurred or charged by” them, whether claimed as forfeiture, restitution or disgorgement of specific funds, financial loss, set-off or damages. Plaintiff will have no obligation to pay any pre-judgment or post-judgment interest relating to any portion of any damages awarded against Walker & Morgan, LLC; Kirkpatrick Morgan, Jr.; and/or William P. Walker, Jr. in the Underlying Cases for “legal fees, costs and expenses paid, incurred or charged by” Walker & Morgan, LLC, Kirkpatrick Morgan, Jr., and/or William P. Walker, Jr., whether those damages are awarded in the form of disgorgement or damages.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by the Honorable Margaret B. Seymour, Senior United States District Court Judge presiding. The court having granted plaintiff’s motion for partial declaratory judgment.

Date: January 18, 2017

CLERK OF COURT

s/Angie Snipes

Signature of Clerk or Deputy Clerk